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TO: Examiner Hani M. Kazimi  
USPTO FACSIMILE NO.: 703.305.7687  
USPTO REFERENCE: Applicant: Kevin J. Wagoner et al.  
Serial No.: 09/283,120  
Filed: March 31, 1999  
Title: CONTINUOUS ONLINE AUCTION SYSTEM AND  
METHOD  
ATTORNEY: TMC  
PHONE NO.: 949.721.2897  
ATTORNEY DOCKET NO.: AUTOB.059A  
TOTAL PAGES: 10 (INCLUDING COVER SHEET)  
DOCKETING AGENT: N/A  
DATE: November 12, 2004

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MESSAGE: *Attached for filing in the above-referenced application are:*

Courtesy Copy of Request for Reconsideration of Advisory Action Mailed  
October 12, 2004 (Filed today by facsimile to USPTO's central number.).

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2040 Main Street  
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www.kmob.comTed M. Cannon  
949-721-2897  
tcannon@kmob.com

November 12, 2004

Examiner Hani M. Kazimi  
United States Patent and Trademark Office  
Art Unit 3624  
Facsimile Number (703) 305-7687Re: U.S. Patent Application  
CONTINUOUS ONLINE AUCTION SYSTEM AND METHOD  
Application No. 09/283,120  
Request for Reconsideration of October 12, 2004 Advisory Action

Dear Examiner Kazimi:

As you requested during my telephone conversation with you on November 5, 2004, I have filed a request for reconsideration of the October 12, 2004 advisory action in the above-referenced case. I have enclosed a courtesy copy of the request for reconsideration that I filed by facsimile to the central number today.

As you know, the six-month date for responding to the Final Office Action is November 28, 2004. Accordingly, please expedite your consideration of this request so that the Applicants can avoid paying substantial extension of time fees to keep this case from going abandoned.

Sincerely,



Ted M. Cannon

Enclosure  
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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kevin J. Wagoner, et al.  
Appl. No. : 09/283,120  
Filed : March 31, 1999  
For : CONTINUOUS ONLINE  
AUCTION SYSTEM AND  
METHOD  
Examiner : Hani M. Kazimi  
Group Art Unit : 3624

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872-9306 on the date shown below:

November 12, 2004

(Date)

  
Ted M. Cannon, Reg. No. 55,036REQUEST FOR RECONSIDERATION OF ADVISORY ACTION MAILED 10/12/2004**Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request the Examiner to reconsider the October 12, 2004 advisory action in the above-referenced application. In the advisory action, the Examiner noted that Claims 54-57 of Applicants' July 28, 2004 amendment contain new features that require further search and consideration. Accordingly, the Examiner did not enter the July 28, 2004 amendment.

Applicants respectfully disagree with the Examiner's finding that Claims 54-57 contain new features. Instead, Applicants respectfully submit that Claims 54-57 have the same scope as Claims 53 and 54 as presented in Applicants' October 29, 2003 amendment. Accordingly, because the Examiner indicated that Claims 53 and 54 would be allowable if rewritten in independent form, Applicants believe that the July 28, 2004 amendment placed the application in condition for allowance. Applicants respectfully submit that the Examiner should have entered the July 28, 2004 amendment and should have allowed Claims 54-57 and Applicants respectfully request such action.

Applicants thank the Examiner for granting Applicants' attorney a telephonic interview on November 5, 2004 to discuss this issue. During that interview, the Examiner encouraged Applicants' attorney to file a request for reconsideration of the advisory action. The Examiner